

REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

The specification has been amended to correct minor informalities.

Non-elected claims 6-9 and 11-21 have been canceled without prejudice or disclaimer. Applicant reserves the right to file a divisional application directed to the subject matter of the non-elected claims.

Claims 1-5 and 10 were rejected under 35 U.S.C. Section 102(b) as allegedly being “anticipated” by Wada (U.S. Patent No. 5,319,198). While not acquiescing in this rejection or in the characterizations of Wada in the office action, the claims have been amended. The discussion below makes reference to the amended claims.

Each of the independent claims 1, 2, 3 and 4 recites that *the positions of recording / reading end portions of the recording / reading elements do not form a square lattice*. This feature is described by way of example and without limitation beginning at page 32, line 25 and in Figure 4 of the subject patent application. As noted in the referenced specification passages, formation of a square lattice in the array of probes makes it difficult to connect and arrange signal lines to the probe elements. A square lattice arrangement can also result in use of longer signal lines.

Figure 6B of Wada discloses a plurality of microscopical electron guns and four-divided detectors provided in an aligned manner. These guns/detectors are arranged to form square lattices and thus do not constitute a disclosure of the above-italicized feature of independent claims 1, 2, 3 and 4. Regarding Figure 6A of Wada, there is, among other things, no disclosure that the arrangement of guns / detectors satisfies the mathematical relationships recited in independent claims 1, 2, 3 and 4.

Claims 5 and 10 refer to claim 1 and thus Wada likewise does not provide a disclosure of the subject matter of these claims.

New claims 22-25 depend from independent claims 1, 2, 3 and 4, respectively, and find support, for example, in Figures 1 and 2 of the subject application. Applicant respectfully submits that the subject matter of these new claims is not disclosed by Wada because of their respective dependencies from claims 1, 2, 3 and 4 and because of the additional patentable features recited therein.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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